

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BROOKS MAULDIN,

Plaintiff,

v.

Case No. 13-14224
HON. TERRENCE G. BERG
HON. DAVID R. GRAND

JEFF KLINK,

Defendant.

_____ /

ORDER ADOPTING REPORT AND RECOMMENDATION

Plaintiff Brooks Mauldin, proceeding pro se and in forma pauperis, has sued his landlord, Jeff Klink, alleging various state law causes of action and violations of both the Fair Housing Act, 42 U.S.C. § 3604, and the Fourteenth Amendment.

On January 9, 2014, the Court referred this case to Magistrate Judge David R. Grand for all pretrial matters. This matter is now before the Court on the Magistrate Judge's March 25, 2014 Report and Recommendation (Dkt. 14), recommending that Plaintiff's complaint be DISMISSED *SUA SPONTE* for the failure to state a claim upon which relief can be granted, and that Defendant's motion to dismiss or for summary judgment (Dkt. 10) be DENIED AS MOOT.

The law provides that either party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of the report and recommendations. 28 U.S.C. § 636(b)(1). The district court will make a "de novo determination of those portions of the report . . . to which objection is made." *Id.*

Where, as here, neither party objects to the report, the district court is not obligated to independently review the record. *See Thomas v. Arn*, 474 U.S. 140, 149-52 (1985). Nevertheless, the Court has carefully reviewed the record and does hereby **ACCEPT** and **ADOPT** Magistrate Judge Grand's Report and Recommendation of March 25, 2014, as this Court's findings of fact and conclusions of law.

It is **FURTHER ORDERED** that Plaintiff's federal claims are **DISMISSED WITH PREJUDICE** pursuant to 28 U.S.C. § 1915(e)(ii), that Plaintiff's state law claims are **DISMISSED WITHOUT PREJUDICE**, and that Defendant's motion to dismiss or for summary judgment (Dkt. 10) is **DENIED AS MOOT**.

SO ORDERED.

Dated: April 18, 2014

s/Terrence G. Berg
TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that this Order was electronically submitted on April 18, 2014, using the CM/ECF system; a copy of this Order was also addressed to Plaintiff and mailed to P.O. Box 1673, Jackson, MI 49204.

s/A. Chubb
Case Manager